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Remarks

Currently Claims 1-11, 15, 17-21 and 27-80 are pending. Claims 22-26 are canceled herein.

The instant amendment is responsive to the teleconference between the Examiner and Applicants' representative, Lorie Ann Morgan, on 29 August 2006, wherein the Examiner requested that Applicants take certain action to advance prosecution without the need for issuance of a further Office Action. Applicants appreciate the Examiner's time, courtesies and effort in advancing prosecution of Applicants' case.

Claims 1, 10, 11, 17, 21, 27, 28, 29, 30, 31, 33, 34, 35, 38, 39, 41, 42, 48, 56, 58, 59, 60, 62, 64, 69 and 74 are amended herein. Claims 1, 10, 11, 17, 21, 25, 30, 35, 39, 42, 56 and 58, are amended to change "solvate" to "hydrate" as requested by the Examiner. Support for this amendment can be found throughout Applicants' specification, including at page 2, line 22 and Example 11b. Claim 1 is also amended to insert "*" represents a chiral center". Support for this amendment can be found throughout Applicants' specification, including at page 2, lines 31-32. Claim 17 is further amended to insert "of formula (I), as requested by the Examiner, and to change "derivative" to "salt or hydrate". Claim 27 is amended to depend from claim 1. Claim 28 is amended to remove "other substances". Claims 29, 30, 31, 33, 69 and 74 are amended to depend from claim 27. Claims 30, 56 and 59 are amended to change plural to singular. Claim 48 is amended to correct dependency. Claim 60 is amended to change "amphetamine-related drugs" to "dextroamphetamine, methamphetamine." Support for this amendment may be found throughout Applicants' specification, including at page 14, line 17. Claim 62 is amended to depend from claim 61. The foregoing amendments to not add new matter.

New Claims 78-80 are added. Claims 78-80 recite methods of treating sleep disorders, as recited in claim 59 wherein the compound is as recited in claims 21, 67 and 73, respectively. No new matter is added.

In response to the Examiner's inquiry regarding the anxiety disorders recited in claim 29, Applicants' respectfully submit that the recited anxiety disorders are consistent with the list of disorders within the category of anxiety disorders which are each individually recognized in the Diagnostic and Statistical Manual of Mental Disorders

PI4747USw

(DSM-IV) (see copy provided). "Acute stress disorder" is also a recognized condition per the DSM-IV (see copy provided).


In response to the Examiner's inquiry regarding "sleep disorders" as recited in claim 59. Applicants respectfully note that "sleep disorders" is a term of art utilized by the DSM-IV (see copy provided). Specific examples of disorders which fall within the DSM-IV category of "sleep disorders" may be found therein. Specific examples of certain sleep disorders to which the invention pertains are also enumerated in Applicants' specification. Applicants respectfully submit that the compounds of the present invention are useful for the treatment of sleep disorders generally

Information Disclosure Statement

An IDS and PTO-1449 citing the three references included with Applicants' response mailed February 9, 2006 and the references referred to herein is filed concurrently herewith. Applicants acknowledge with appreciation the Examiner's agreement to consider the references cited and return an initialed copy of the PTO-1449.

Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. The Examiner is invited to contact the undersigned at (919) 483-8222, to discuss this case, if desired.

Respectfully submitted,



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Date: 6 September 2006
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